

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

RECEIVED
CENTRAL FAX CENTER

DEC 12 2006

REMARKS/ARGUMENTS

Claims 8-18 and 22-26 are pending in this application. Claims 8-18 stand rejected.

Claims 8-18 have been amended to clarify the claimed subject matter. Claims 22-26 have been added. Support for this amendment may be found, for example, at pg. 4, lines 21-24 and pg. 7, lines 1-3. No new matter has been added. In view of the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

Claim Rejections under 35 U.S.C. §103(a)

The Office Action rejected claims 8 and 10-18 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,867,730 ("Leyda"), and further in view of U.S. Patent No. 6,845,428 ("Kedem"), U.S. Patent No. 6,480,925 ("Bodo"), U.S. Patent No. 5,491,813 ("Bondy"), U.S. Patent Application Publication No. 2002/0106060 ("Dapper"), and U.S. Patent No. 6,081,752 ("Benson"). With regard to claim 8, the cited art fails to teach or suggest claim 8 as amended. Claim 8 recites a single computer system ID for identifying a computer system, wherein the single computer system ID is stored on the computer system and is generated during the installation of a software product on the computer system. In contrast, Leyda teaches a system and method for the automatic identification and configuration of computer hardware peripherals such as a CD-ROM device. (Leyda, at col. 5, lines 60-65). As stated in the Office Action, Leyda does not teach identifying other portions of a computer system. (Office Action, page 3).

Kedem does not remedy the lack of teaching or suggesting in Leyda or the other cited references. Kedem, for example, teaches a computer program for identifying a disk adapter

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

portion in a computer system. (Office Action, at pg. 4). Like Leyda, Kedem only identifies a single portion of a computer system. Moreover, applicants traverse the motivation to combine because the combined references do not reach or suggest a single computer system ID that represents a plurality of devices having unique identifiers. Instead a combination of Kedem with Leyda would result in, for example, a first identifier to identify a CD-ROM device and a second identifier to identify a disk adaptor. In contrast, claim 8 recites *a single computer system ID*, rather than multiple independent identifiers.

The inherency argument is also traversed because there is no teaching or motivation other than the applicants' own disclosure to suggest a single computer system ID that represents a plurality of devices having unique identifiers to be used by a software product in determining whether the system is authorized. In addition to a lack of any teaching, suggestion or motivation of this in the cited art, even if combined, the cited art would not teach such an identifier. As stated above, a combination of the cited references would yield nothing more than various identifiers generated through the execution of various software applications. Claim 8 is allowable.

The applicants further note that the Office Action makes reference to a Subler reference in the discussion of claim 8. (Office Action, page 4). No reference to the serial or patent number, however, is provided. The applicants request that the rejection thus be withdrawn or a new office action be issued.

With regard to claim 10, none of the cited references, either singly or in motivated combination, fail to teach or otherwise suggest a single computer system ID for identifying a

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

computer system, wherein the computer system ID is stored on the computer system and is generated during the installation of a software product on the computer system. In contrast, Leyda teaches a system and method for the automatic identification and configuration of computer hardware peripherals such as a CD-ROM device. (Leyda, at col. 5, lines 60-65). As stated in the Office Action, Leyda does not teach identifying other portions of a computer system. (Office Action, page 3).

Kedem does not remedy the lack of teaching or suggesting in Leyda or the other cited references. Kedem teaches a computer program for identifying a disk adapter portion in a computer system. (Office Action, at pg. 4). Like Leyda, Kedem only identifies a single portion of a computer system. Moreover, applicants traverse the motivation to combine because the combined references do not reach or suggest in motivated combination a single computer system ID that is used to identify a system based on its identifiable subcomponents. Instead a combination of Kedem with Leyda would result in a first identifier to identify a CD-ROM device and a second identifier to identify a disk adaptor. In contrast, claim 10 recites *a single computer system ID*, rather than multiple independent identifiers.

Further, Leyda teaches a bootable program that identifies a CD-ROM device being installed in a computer system. (Leyda, at col. 6, lines 23-34). On the other hand, Kedem teaches a separate piece of software for managing dynamic assignment of resources that identifies a disk adaptor portion. A combination of Kedem with Leyda would result in separate identifiers generated through the execution of various software products. In contrast, claim 10

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

recites a single computer system ID generated during the installation of *a software product* on a computer system.

Further still, applicants traverse the stated reasons to combine because there is no teaching or suggestion in the prior art combine an identifier of a CD-ROM device and an identifier of a disk adaptor portion. Each prior art reference is directed to various separate identifiers used during the execution of software applications directed to specific hardware portions. Here, the Office Action is impermissibly relying on hindsight to combine references as the cited art provides no teaching or suggestion to be combined to create an identifier that indicates a change in a system rather than a device change.

The inherency argument is also traversed because there is no teaching or motivation other than the applicants' own disclosure to suggest a single computer system ID that represents a plurality of devices having unique identifiers to be used by a software product in determining whether the system is authorized. In addition to a lack of any teaching, suggestion or motivation of this in the cited art, even if combined, the cited art would not teach such an identifier. As stated above, a combination of the cited references would yield nothing more than various identifiers generated through the execution of various software applications.

Similarly, Bodo does not remedy the lack of teaching or suggesting in Leyda or the other cited references. Bodo teaches a separate computer program identifying a disk device of a computer system and a first drive serial portion identifying a disk drive of the computer. Like Leyda, Bodo only identifies a single portion of a computer system. A combination of Bodo with the other cited references would result in various identifiers generated through the execution of

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

various software applications. Further still, there is no teaching or suggestion in the prior art to combine such references. Here, the Office Action is impermissibly relying on hindsight to combine references as the cited art provides no teaching or suggestion to be combined to create an identifier that indicates a change in a system rather than a device change.

Bondy does not remedy the lack of teaching or suggesting in Leyda or the other cited references. Bondy teaches a separate computer program identifying a display adaptor of a computer system. Like Leyda, Bondy only identifies a single portion of a computer system. A combination of Bondy with the other cited references would result in various identifiers generated through the execution of various software applications. Further still, there is no teaching or suggestion in the prior art to combine such references. Here, the Office Action is impermissibly relying on hindsight to combine references as the cited art provides no teaching or suggestion to be combined to create an identifier that indicates a change in a system rather than a device change.

Dapper does not remedy the lack of teaching or suggesting in Leyda or the other cited references. Dapper teaches a separate computer program identifying a MAC address of a computer system and a processor serial number portion identifying a processor serial number of the computer system. Like Leyda, Dapper only identifies a single portion of a computer system. A combination of Dapper with the other cited references would result in various identifiers generated through the execution of various software applications. Further still, there is no teaching or suggestion in the prior art to combine such references. Here, the Office Action is impermissibly relying on hindsight to combine references as the cited art provides no teaching or

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

suggestion to be combined to create an identifier that indicates a change in a system rather than a device change.

Benson does not remedy the lack of teaching or suggesting in Leyda or other cited references. Benson teaches a separate computer program identifying a processor type of a computer system. Like Leyda, Benson only identifies a single portion of a computer system. A combination of Benson with the other cited references would result in various identifiers generated through the execution of various software applications. Further still, there is no teaching or suggestion in the prior art to combine such references. Here, the Office Action is impermissibly relying on hindsight to combine references as the cited art provides no teaching or suggestion to be combined to create an identifier that indicates a change in a system rather than a device change.

Further, the Office Action stated that it would have been obvious to combine the cited references in order for each part of the hardware system to be accounted for when software is installed on the system to minimize the illegal use of software and hardware components. (Office Action, at page 6). In addition to a lack of any teaching, suggestion or motivation of this in the cited art, even if combined, the cited art would not teach such an identifier. As stated above, a combination of the cited references would yield nothing more than various identifiers generated through the execution of various software applications.

Moreover, claim 10 additionally recites that the CD-ROM device portion of the single computer system ID comprises a hashing of a CD-ROM device identification string. The cited portion of Dapper at paragraph [0379] states "Its [The serial number of the integrated service

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

unit (ISU)] compressed form, two bytes long, serves as a hash code which is practical to transmit in the continuous messages 3933." Specifically, the cited art teaches a serial number of an integrated service unit, not of a CD-ROM device as recited in claim 10. Moreover, the cited art states that a compressed form of the serial number, even were Dapper to teach a CD-ROM device portion, serves as a hash code, but does not specifically teach or suggest actually hashing the serial number. Applicants traverse the motivation to combine because the cited references, either singly or in motivated combination, fail to teach or otherwise suggest the features of claim 10. For this and the reasons recited above with respect to claim 8, from which claim 10 depends, claim 10 is allowable.

Claims 11-18 depend from claim 9 and for at least the foregoing reasons are also patentable. Accordingly, applicants request allowance of the claims 11-18.

The Office Action rejected elements of claim 9 under 35 U.S.C. §103(a) as being unpatentable over Leyda, Kedem, Bodo, Bondy, Dapper and Benson and further in view of U.S. Patent No. 5,995,424 ("Lawrence"). With regard to claim 9, none of the cited references, either singly or in motivated combination, fail to teach or otherwise suggest a single computer system ID for identifying a computer system, wherein the computer system ID is stored on the computer system and is generated during the installation of a software product on the computer system. As stated above, a combination of Leyda, Kedem, Bodo, Bondy, Dapper and Benson would yield nothing more than various identifiers generated through the execution of various software applications. Lawrence does not remedy the lack of teaching or suggesting in Leyda or the other cited references. Lawrence teaches a portable memory test system for synchronous memories

App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

which employs tables of ordered entries of bit patterns representative of all known synchronous memories. (Lawrence, at col. 3, lines 44-52). Like Leyda, Lawrence only identifies a single portion of a computer system. As such, Lawrence does not teach or otherwise suggest a single computer system ID for identifying a computer system, wherein the computer system ID is stored on the computer system and is generated during the installation of a software product on the computer system. Claim 9 is allowable.

New claim 22 recites a single computer system ID for identifying a computer system, wherein the computer system ID is stored on the computer system and is generated *during the installation of a single software application* on the computer system. In contrast, each of the cited references teaches the identification of various hardware elements during the execution of various separate pieces of software. As such, a combination of them would result only in the various identifiers generated *through the execution of various multiple software applications*. In contrast, new claim 22 recites a single computer system ID generating during the installation of a *single* software application. Further still, there is no teaching or suggestion in the prior art to combine such references because the combined references do not reach or suggest in motivated combination a single computer system ID that is used to identify a system based on its identifiable subcomponents. Here, the Office Action is impermissibly relying on hindsight to combine references as the cited art provides no teaching or suggestion to be combined to create an identifier that indicates a change in a system rather than a device change. Claim 22 is allowable.

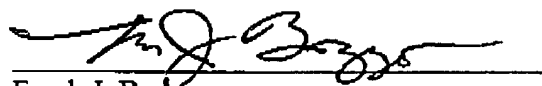
App. No. 10/668,580
Amendment Dated December 12, 2006
Reply to Office Action of June 16, 2006

New claims 23-26 depend from independent claim 22 and for at least the foregoing reasons are also patentable. Accordingly, applicants request allowance of the new claims 23-26.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.



Frank J. Bozzo
Registration No. 36,756
Direct Dial: 206.342.6294

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

